

1500
BILL NO. Z-92-02-23

ZONING MAP ORDINANCE NO. Z-02-92

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. Q-10.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby
designated a P.O.D. (Professional Office) District under the
terms of Chapter 33 of the Code of the City of Fort Wayne,
Indiana of 1974:

Part of the Northwest Quarter of Section 6, Township 30
North, Range 13 East, Allen County, Indiana, more
particularly described as follows, to wit:

Beginning at the North line of said Section 6, at a point
situated 1419.66 feet West of the Northeast corner of
said Section 6; thence continuing West, on and along said
North line, being also the centerline of Lake Avenue,
226.1 feet; thence Southerly, by a deflection angle left
of 90° - 12', a distance of 650.0 feet; thence East and
parallel to said North line, a distance of 225.0 feet;
thence Northerly, by an interior angle of 89° - 54', a
distance of 650.0 feet to the point of beginning,
containing 3.366 acres of land and subject to legal
right-of-way for Lake Ave. Also subject to an easement
for a sewer as described in Deed Record 567, Pages 583-
585 in the Office of the Recorder of Allen County, also
subject to an easement for ingress and egress over the
East 50 feet thereof as shown on an Instrument recorded
as Document No. 70-11205 in the Office of the Recorder of
Allen County, and also subject to a permanent easement
for a service road over the West 25 feet of the East 75
feet of the South 250 feet thereof as described in
Document No. 71-08729 in the Office of the Recorder of
Allen County, Indiana.

and the symbols of the City of Fort Wayne Zoning Map No. Q-10,
as established by Section 11 of Chapter 33 of the Code of the
City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and approval by the
Mayor.

C. R. Edmund
Councilmember

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay
J. TIMOTHY MCCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Edmonds, seconded by Salinas, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 2-25-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Edmonds, seconded by Salinas, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BRADBURY	<u>1</u>			
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 3-24-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 2-02-92 on the 24th day of March, 1992

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Thomas E. Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of March, 1992, at the hour of 11:30 o'clock AM, M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 26th day of March, 1992, at the hour of 9:35 o'clock AM, M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

RECEIPT

No 10882

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IND.,

1-23 1992

RECEIVED FROM

~~RECEIVED~~ MST D & Assoc \$ 100.00

THE SUM OF

One hundred & 00/100 DOLLARS

ON ACCOUNT OF

rezoning R-3 to P01
2710 Lake Dr
Ft Wayne

6924

PAID BY: CASH ☐ CHECK ☒ M.O. ☐

AUTHORIZED SIGNATURE

RECEIPT NO. 10.882

DATE FILED 1-23-92

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We RAMRON PROPERTIES I (Dr. Ramesh H. Bhat, MD and Dr. Ronald L. Baker, MD)
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-3 District to a/an P.O.D. District the property described as follows:

Part of the Northwest Quarter of Section 6, Township 30 North, Range 13 East, Allen County, Indiana, more particularly described as follows, to wit: Beginning on the North line of said Section 6, at a point situated 1419.66 feet West of the Northeast corner of said Section 6; thence continuing West, on and along said North line, being also the centerline of Lake Avenue, 226.1 feet; thence Southerly, by a deflection angle left of 90° - 12', a distance of 650.0 feet; thence East and parallel to said North line, a distance of 225.0 feet; thence Northerly, by an interior angle of 89° - 54', a distance of 650.0 feet to the point of beginning, containing 3.366 acres of land and subject to legal right-of-way for Lake Ave. Also subject to an easement for a sewer as

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

2710 LAKE AVENUE, FORT WAYNE, INDIANA 46805

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

DR. RAMESH H. BHAT, MD

2458 LAKE AVE., FT. WAYNE

Ramesh Bhat
Ronald L. Baker

DR. RONALD L. BAKER, MD

2458 LAKE AVE., FT. WAYNE

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$100.00)

Name and address of the preparer, attorney or agent.

KEVIN A. MCCRORY

6731 QUAIL RIDGE LN. FT. WAYNE 219-432-7969

(Name)

(Address & Zip Code)

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

described in Deed Record 567, Pages 583-585 in the Office of the Recorder of Allen County, also subject to an easement for ingress and egress over the East 50 feet thereof as shown on an Instrument recorded as Document No. 70-11205 in the Office of the Recorder of Allen County, and also subject to a permanent easement for a service road over the West 25 feet of the East 75 feet of the South 250 feet thereof as described in Document No. 71-08729 in the Office of the Recorder of Allen County, Indiana.

Owners of Property

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 25, 1992 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-92-02-23; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 24, 1992.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

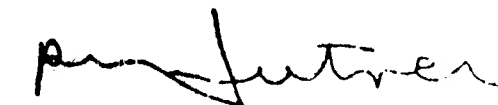
(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 2, 1992.

Certified and signed this
4th day of March 1992.

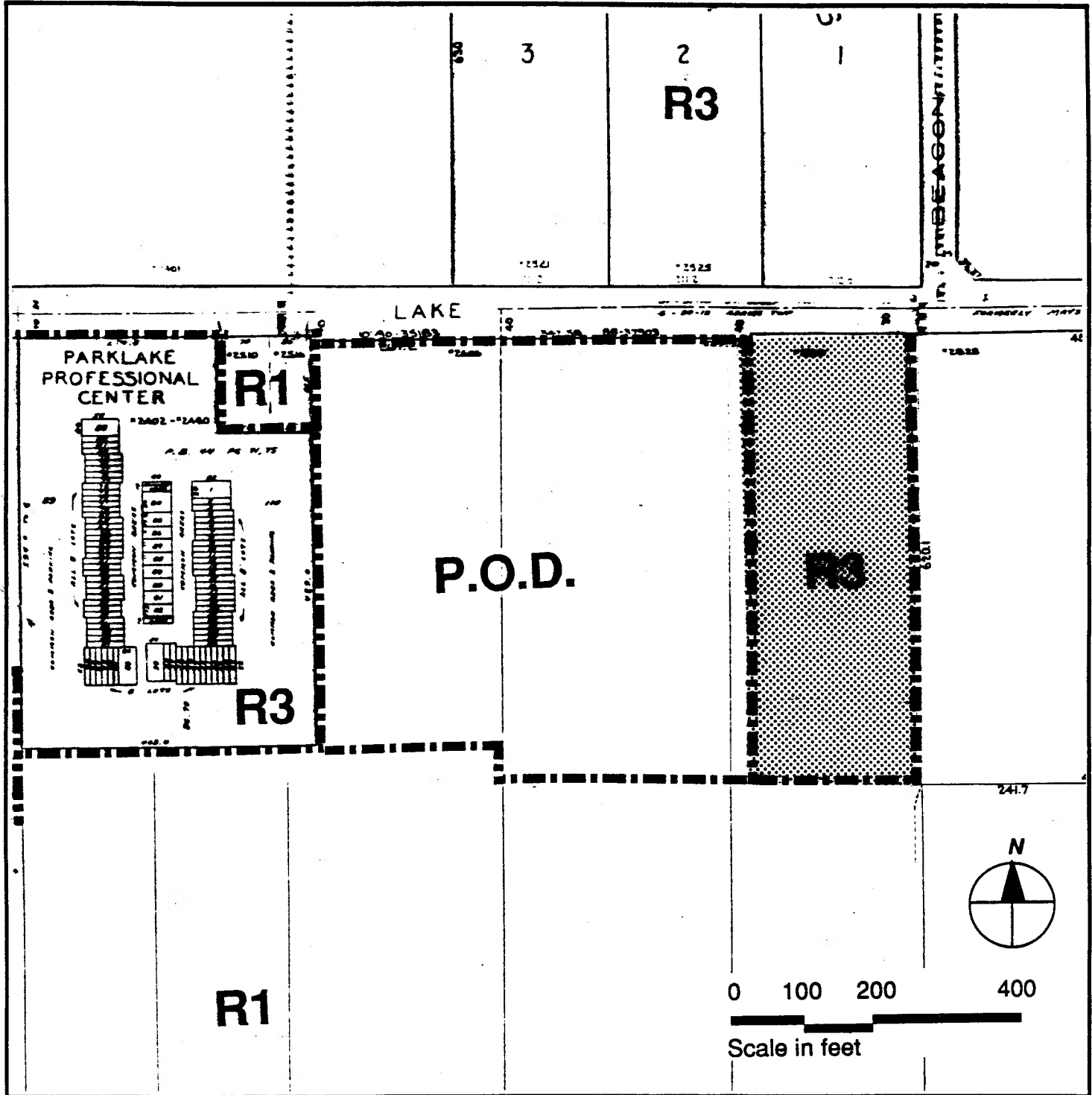


Robert Hutner
Secretary

REZONING PETITION

AREA MAP

CASE NO. #500



COUNCILMANIC DISTRICT NO. 2

Map No. Q - 10
LW 1-28-92

R1	One-Family	B1	Limited Business	M1	Light Industrial
R2	Two-Family	B2	Planned Shopping Center	M2	General Industrial
R3	Multi-Family	B3	General Business	M3	Heavy Industrial
RA/RB	Residential	B4	Roadside Business	MHP	Mobile Home Park
PUD	Planned Unit Dev.	POD	Professional Office District		

BILL NO. Z-92-02-23

REPORT OF THE COMMITTEE ON REGULATIONS

CLETUS R. EDMONDS, CHAIRMAN
JANET G. BRADBURY, VICE CHAIRWOMAN
RAVINE, TALARICO, SCHMIDT

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM
WAS REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of
Fort Wayne Zoning Map No. Q-10

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Janet G. Bradbury
Sam J. Talarico
Cletus R. Edmonds
Rebecca Ravine

DATED: 3-24-92.

Sandra E. Kennedy
City Clerk

a. Bill No. Z-92-02-23 - Change of Zone #500
From R3 to POD
2710 Lake Avenue

b. Primary Development Plan for the Northeast OB-GYN P.O.D.

Kevin McCrory, owner of McCrory & Associates appeared before the Commission for the petitioner Ramron Properties I. Mr. McCrory stated that the property is approximately 3.36 acres in size and the current land uses bordering the property is the existing Fort Wayne Neurological Center to the West; R-3 zoning to the east a private residence and the city sludge lagoons to the south of the property. Mr. McCrory stated that the proposed structure is a single story structure and will be used for the medical offices of Northeast OB-GYN. He stated that there is no future expansion or phasing of the project, other than possibly an addition to the building. He stated that they have worked with City staff on various issues. He stated that they will be extending the city sidewalk along the frontage of Lake Avenue along with the addition of the decel and accel lanes on Lake Avenue for this project. Mr. McCrory stated that the one issue that has been outstanding to date, is the possibility of the alignment entrance drive into the facility with Beacon Street across Lake Avenue to the north. Mr. McCrory stated that the owners have pursued this with the adjacent property owner. He stated that at the current time there is dialogue concerning that alignment. He stated that they are not sure where it may lead at this time, but currently the drive, as has been indicated, will be on the property owned by Ramron Properties and an agreement can be entered into with the City, if at some later date the adjacent property were to be rezoned, that the alignment could occur at that time.

Mark Gensic questioned if there was a site distance problem at that point where they intend to have there access.

Mr. McCrory stated there is not.

Steve Smith asked staff if they could get a number of accidents that occur at the intersection of Beacon & Lake.

Mr. McCrory stated that the facility is a single story structure with a maximum height of 26 feet. He stated that the building will be located toward the front of the property and there will be an additional dedicated right-of-way of 25 feet on Lake Avenue. He stated that all of the parking will be contained at the rear of the structure. He stated that they sit further back than the Fort Wayne Neurological Center is from Lake Avenue.

Mel Smith questioned if there was any drainage problems in this area.

Mr. McCrory stated that there is not. He stated that a retention area is not required on the property. He stated that the rear portion of the property is within the Flood Fringe, but they are

not building in that area.

Steve Smith stated that the staff comments state that the developers are not opposed to participating in a traffic signal should it be warranted in the future. He questioned if they would be opposed to participating in the traffic signal if they Commission felt it was needed now.

Mr. McCrory stated that they would not be opposed to participating in the cost at this time. He stated however that in order to put in the traffic signal that would entail the alignment of the drive with Beacon Street and would require acquisition of the adjacent property.

Mark Gensic questioned if they would be willing to grant an access easement for the neighbor to the east.

Mr. McCrory stated that they are very much in favor of letting this neighbor get onto this drive as soon as possible, and use that as a paved surface to their driveway. He stated if not, they will have a gravel drive adjacent to their paved drive.

Mel Smith questioned how many physicians would occupy the building.

Mr. McCrory stated that there are currently 4 with an expansion of an additional 5th physician. He stated that they currently have 72 parking spaces.

Mel Smith questioned if they were going to enter into an agreement with their neighbors in order to be able to go from one parking lot to another by interior access.

Mr. McCrory stated that they were looking into that. He stated that there are some physical constraints that they will have to look at. He stated that there is quite a grade change between the Fort Wayne Neurological Center and this property.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning or primary development plan.

FACT SHEET

Z-92-02-23

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Zoning Map Amendment

APPROVAL DEADLINE**REASON**

From R-3 to POD

DETAILS**Specific Location and/or Address**

2710 Lake Avenue

Reason for Project

Professional Office Building

Discussion (Including relationship to other Council actions)24 February 1992 - Public Hearing

See Attached Minutes of Meeting

2 March 1992 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the seven (7) members present, six (6) voted in favor of the motion, one (1) did not vote.

Motion carried.

POSITIONS**Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents**

Applicant(s)
Ramron Properties I
City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

**Staff
Recommendation**☒ For ☐ Against

Reason Against

**Board or
Commission
Recommendation**

By

☒ For ☐ Against
☐ No Action Taken☐ For with revisions to conditions
(See Details column for condition**CITY COUNCIL
ACTIONS
(For Council
use only)**☐ Pass ☐ Other
☐ Pass (as
amended) ☐ Hold☐ Council Sub. ☐ Do not pass

DETAILS

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date 23 January 1992

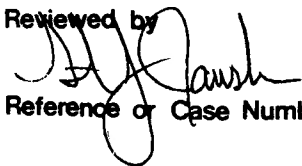
Projected Completion or Occupancy

Date 4 March 1992

Fact Sheet Prepared by

Patricia Biancaniello

Reviewed by



Date 4 March 1992

Date 4 MARCH 1992

Reference or Case Number

#500 ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE 2710 Lake Av

2-92-02-23

EFFECT OF PASSAGE Property is currently zoned R-3 - Multi Family Residential.
Property will become P O D - Professional Office District.

EFFECT OF NON-PASSAGE Property will remain R-3 - Multi Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.))